

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MICHAEL TOMLINSON and SHERRY TOMLINSON,	:	CIVIL ACTION
	:	
	:	
Plaintiffs,	:	NO. 09-3711
v.	:	
BOROUGH OF NORRISTOWN, POLICE	:	
OFFICER LORI KOCH, and POLICE	:	
OFFICER BEN LERMAN	:	
	:	
Defendants.	:	

**ORDER**

And NOW, this 5th day of April, 2010, upon due consideration of Defendants' Motion for Partial Dismissal (Docket No. 3), and the responses thereto, it is hereby ORDERED that the Motion is GRANTED, for the reasons stated in the foregoing Memorandum.

Accordingly, the Court FURTHER ORDERS the following:

1. All claims against the Borough of Norristown ("Borough") in Counts I, II, III, IV, and VI, including any punitive damages claims, are DISMISSED with prejudice;
  2. All claims brought against individual Defendants Police Officers Lori Koch and Ben Lerman (collectively, "individual Defendants") acting in their official capacities, including any punitive damages claims, are DISMISSED with prejudice;
  3. Plaintiff Michael Tomlinson's false arrest and false imprisonment claims in Count II are DISMISSED with prejudice;
  4. All claims in Count III are DISMISSED with prejudice;
  5. All punitive damages claims in Counts V and VI are dismissed with prejudice;
- and

4. Any negligence claims brought against the Borough in Count V are dismissed with prejudice.

/s Michael M. Baylson, U.S.D.J.

Michael M. Baylson, U.S.D.J.

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